B1 (Official F@ 184) (1098 26414 Doc 1 Filed 07/22/09 Entered 07/22/09 08:34:44 Desc Main United States Bank Dotum Centre Page 1 of 13 **Voluntary Petition** Northern District of Illinois Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Gunn, Kathy, All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more more than one, state all): \*\*\*\_\*\*\_1104 than one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 226 East 170th Place South Holland, I ZIP CODE ZIP CODE L 604 County of Residence or of the Principal Place of Business County of Residence or of the Principal Place of Business: Cook Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (Form of Organization) (Check one box) the Petition is Filed (Check one box) (Check one box.) ■ Health Care Business ☐ Chapter 15 Petition for Chapter 7 ☐ Single Asset Real Estate as defined in 11 Individual (includes Joint Debtors) Recognition of a Foreign Chapter 9 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding Chapter 11 Railroad Corporation (includes LLC and LLP) ☐ Chapter 15 Petition for Stockbroker Partnership Chapter 12 Recognition of a Foreign ☐ Commodity Broker Other (If debtor is not one of the above entities. Nonmain Proceeding Chapter 13 Clearing Bank check this box and state type of entity below.) **Nature of Debts** Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose. Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is Check if: unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all applicable boxes attach signed application for the court's consideration. See Official Form 3B. A plan is being filed with this petition Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR Statistical/Administrative Information COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 100-200-50-1,000-5,001-10,001-25,001-50,001-Over 99 199 10 000 100 000 100 000 5 000 25,000 50,000 Estimated Assets \$0 to \$50,001 to \$50,000,001 \$100,000,001 \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$500,000,001 More than \$1 \$50,000 \$100,000 to \$100 to \$500 \$500,000 \$1 to \$10 to \$50 to \$1 billion billion million million million million million Estimated Liabilities  $\Box$  $\Box$ \$500,001 to \$1,000,001 \$100,000,001 \$10,000,001 \$50,000,001 \$50,001 to \$100,001 to \$500,000,001 More than \$1 \$1 to \$10 to \$50 to \$100 to \$500 \$50,000 \$100,000 \$500,000 billion to \$1 billion million million million million million

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--|--|--|
| Voluntary Petition Document Page 2 of 13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                |                               |  |  |  |
| (This page must be completed and filed in every case)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Kathy Gunn                                                                                                                                                                                                                                                     |                               |  |  |  |
| All Prior Bankruptcy Cases Filed Within La                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ast 8 Years (If more than two, attach additional sheet.)                                                                                                                                                                                                       | -                             |  |  |  |
| Location Where Filed: Northern District of Illinois                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Case Number: <b>07-16038</b>                                                                                                                                                                                                                                   | Date Filed: <b>09/04/2007</b> |  |  |  |
| Location Where Filed: Northern District of Illinois                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Case Number: <b>05-35149</b>                                                                                                                                                                                                                                   | Date Filed: <b>09/02/2005</b> |  |  |  |
| Pending Bankruptcy Case Filed by any Spouse, Partner of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                |                               |  |  |  |
| Name of Debtor:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Case Number:                                                                                                                                                                                                                                                   | Date Filed:                   |  |  |  |
| NONE District:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Relationship:                                                                                                                                                                                                                                                  | Judge:                        |  |  |  |
| District.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | reductionship.                                                                                                                                                                                                                                                 | Judge.                        |  |  |  |
| Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). |                                                                                                                                                                                                                                                                |                               |  |  |  |
| Exhibit A is attached and made a part of this petition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | X Philip A. Igoe                                                                                                                                                                                                                                               | 7/21/2009                     |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Signature of Attorney for Debtor(s)                                                                                                                                                                                                                            | Date                          |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Philip A Igoe                                                                                                                                                                                                                                                  | 1300466                       |  |  |  |
| Does the debtor own or have possession of any property that poses or is alleged to pose a  Yes, and Exhibit C is attached and made a part of this petition.  No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | a threat of imminent and identifiable harm to public heal                                                                                                                                                                                                      | th or safety?                 |  |  |  |
| Ext                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | hibit D                                                                                                                                                                                                                                                        |                               |  |  |  |
| (To be completed by every individual debtor. If a joint petition is filed, each spouse must                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | st complete and attach a separate Exhibit D.)                                                                                                                                                                                                                  |                               |  |  |  |
| Exhibit D completed and signed by the debtor is attached and made a part of t                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | this petition.                                                                                                                                                                                                                                                 |                               |  |  |  |
| If this is a joint petition:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                |                               |  |  |  |
| <ul> <li>Exhibit D also completed and signed by the joint debtor is attached and made</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | a part of this petition                                                                                                                                                                                                                                        |                               |  |  |  |
| Information Regar                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | rding the Debtor - Venue                                                                                                                                                                                                                                       |                               |  |  |  |
| •                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | y applicable box)                                                                                                                                                                                                                                              | :                             |  |  |  |
| Debtor has been domiciled or has had a residence, principal place preceding the date of this petition or for a longer part of such 180                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                | ays immediately               |  |  |  |
| There is a bankruptcy case concerning debtor's affiliate. general p                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | partner, or partnership pending in this District.                                                                                                                                                                                                              |                               |  |  |  |
| Debtor is a debtor in a foreign proceeding and has its principal pla<br>has no principal place of business or assets in the United States bu<br>this District, or the interests of the parties will be served in regard                                                                                                                                                                                                                                                                                                                                                                                                                             | at is a defendant in an action or proceeding [in a federal                                                                                                                                                                                                     |                               |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | des as a Tenant of Residential Property pplicable boxes.)                                                                                                                                                                                                      |                               |  |  |  |
| Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                |                               |  |  |  |
| (Name of landlord that obtained judgment)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                |                               |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | (Address of landlord)                                                                                                                                                                                                                                          |                               |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and |                               |  |  |  |
| Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                |                               |  |  |  |
| Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                |                               |  |  |  |

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| Voluntary Petition Document                                                                                                                                                                                | Nanaga 3,0fs13                                                                                                                                                                                                                                   |  |  |
| (This page must be completed and filed in every case)                                                                                                                                                      | Kathy Gunn                                                                                                                                                                                                                                       |  |  |
| Sign                                                                                                                                                                                                       | atures                                                                                                                                                                                                                                           |  |  |
| Signature(s) of Debtor(s) (Individual/Joint)                                                                                                                                                               | Signature of a Foreign Representative                                                                                                                                                                                                            |  |  |
| I declare under penalty of perjury that the information provided in this petition is true and correct.  [If petitioner is an individual whose debts are primarily consumer debts and has                   | I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.                 |  |  |
| chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such                               | and that I am authorized to file this petition.  (Check only <b>one</b> box.)                                                                                                                                                                    |  |  |
| chapter, and choose to proceed under chapter 7.  [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b). | I request relief in accordance with chapter 15 of Title 11, United States Code.  Certified Copies of the documents required by § 1515 of title 11 are attached.                                                                                  |  |  |
| I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.                                                                                               | Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the Chapter of title 11 specified in the petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.                              |  |  |
| X s/ Kathy Gunn                                                                                                                                                                                            | X Not Applicable                                                                                                                                                                                                                                 |  |  |
| Signature of Debtor Kathy Gunn                                                                                                                                                                             | (Signature of Foreign Representative)                                                                                                                                                                                                            |  |  |
| X Not Applicable                                                                                                                                                                                           |                                                                                                                                                                                                                                                  |  |  |
| Signature of Joint Debtor                                                                                                                                                                                  | (Printed Name of Foreign Representative)                                                                                                                                                                                                         |  |  |
| Telephone Number (If not represented by attorney)                                                                                                                                                          | , , , , , , , , , , , , , , , , , , ,                                                                                                                                                                                                            |  |  |
| 7/21/2009                                                                                                                                                                                                  | Date                                                                                                                                                                                                                                             |  |  |
| Date                                                                                                                                                                                                       |                                                                                                                                                                                                                                                  |  |  |
| Signature of Attorney                                                                                                                                                                                      | Signature of Non-Attorney Petition Preparer                                                                                                                                                                                                      |  |  |
| X Philip A. Igoe Signature of Attorney for Debtor(s)                                                                                                                                                       | I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined                                                                                                                                                      |  |  |
| Philip A Igoe Bar No. 1300466                                                                                                                                                                              | in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11                                                                    |  |  |
| Printed Name of Attorney for Debtor(s) / Bar No.                                                                                                                                                           | U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable                                                                         |  |  |
| Law Office of Philip A Igoe                                                                                                                                                                                | by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor as required in that section. Official Form 19 is attached.     |  |  |
| Firm Name                                                                                                                                                                                                  |                                                                                                                                                                                                                                                  |  |  |
| 221 North LaSalle Street suite 655                                                                                                                                                                         | NY CAMPINE DE                                                                                                                                                                                                                                    |  |  |
| Address                                                                                                                                                                                                    | Not Applicable Printed Name and title, if any, of Bankruptcy Petition Preparer                                                                                                                                                                   |  |  |
| Chicago IL 60601                                                                                                                                                                                           | Tillited Frame and due, if any, or Zamadaper, 1 construction                                                                                                                                                                                     |  |  |
| 312-372-4298 312-372-5147                                                                                                                                                                                  | Control Committee committee of the benefits and partition propagation and an individual state                                                                                                                                                    |  |  |
| Telephone Number <b>7/21/2009</b>                                                                                                                                                                          | Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) |  |  |
| Date                                                                                                                                                                                                       |                                                                                                                                                                                                                                                  |  |  |
| *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.        | Address                                                                                                                                                                                                                                          |  |  |
| Signature of Debtor (Corporation/Partnership)                                                                                                                                                              | X Not Applicable                                                                                                                                                                                                                                 |  |  |
| I declare under penalty of perjury that the information provided in this petition is true                                                                                                                  |                                                                                                                                                                                                                                                  |  |  |
| and correct, and that I have been authorized to file this petition on behalf of the debtor.                                                                                                                | Date                                                                                                                                                                                                                                             |  |  |
|                                                                                                                                                                                                            | Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.                                                                                                  |  |  |
| The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.                                                                                 | Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an                                                                                 |  |  |
| X Not Applicable                                                                                                                                                                                           | individual.                                                                                                                                                                                                                                      |  |  |
| Signature of Authorized Individual                                                                                                                                                                         | If more than one person prepared this document, attach to the appropriate official form for each person.                                                                                                                                         |  |  |
| Printed Name of Authorized Individual                                                                                                                                                                      | A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or                                                                          |  |  |
| Title of Authorized Individual                                                                                                                                                                             | both. 11 U.S.C. § 110; 18 U.S.C. § 156.                                                                                                                                                                                                          |  |  |
| Date                                                                                                                                                                                                       |                                                                                                                                                                                                                                                  |  |  |

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### PRIOR BANKRUPTCY CASE FILED WITHIN LAST 8 YEARS

| Location Where Filed          | Case Number | Date Filed |
|-------------------------------|-------------|------------|
| Northern District of Illinois | 05-03735    | 02/04/2005 |
| Northern District of Illinois | 04-09557    | 03/11/2004 |
| Northern District of Illinois | 09-487      | 01/09/2009 |

Case 09-26414 Doc 1 Filed 07/22/09 Entered 07/22/09 08:34:44 Desc Main Document Page 5 of 13

B 1D (Official Form 1, Exhibit D) (12/08)

#### **UNITED STATES BANKRUPTCY COURT**

#### **Northern District of Illinois**

| In re | Kathy Gunn | Case No. |            |
|-------|------------|----------|------------|
|       | Debtor     | -        | (if known) |

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

| will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 1. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.                                                                                                                                                                                      |
| 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.                                                                |
| 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]                                                                                                                                                                                                                                                                                                                                    |
| If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. |
| 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]  Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.):                                                                                                                                                                                                                                                                                             |

|                                                                                                                                                                                                                                                                                 |                            | Filed 07/22/09<br>Document<br>08) – Cont. | Entered 07/22/09 08:34<br>Page 6 of 13 | 1:44 Desc Main |  |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-------------------------------------------|----------------------------------------|----------------|--|--|--|
| B 1D (Official Form 1, Exh. D) (12/08) – Cont.  Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); |                            |                                           |                                        |                |  |  |  |
|                                                                                                                                                                                                                                                                                 | Active military            | duty in a military con                    | nbat zone.                             |                |  |  |  |
| 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. ' 109(h) does not apply in this district.                                                                                                           |                            |                                           |                                        |                |  |  |  |
| I certify und                                                                                                                                                                                                                                                                   | ler penalty of p           | perjury that the infor                    | mation provided above is true          | and correct.   |  |  |  |
| Signature of Debtor:                                                                                                                                                                                                                                                            | s/ Kathy Gun<br>Kathy Gunn | n                                         |                                        |                |  |  |  |
| Date: 7/21/2009                                                                                                                                                                                                                                                                 |                            |                                           |                                        |                |  |  |  |

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

# NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <a href="mailto:before">before</a> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

B 201 Page 2

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### Certificate of the Debtor

| I, the debtor, affirm that I have received and re | ad this notice.     |           |
|---------------------------------------------------|---------------------|-----------|
| Kathy Gunn                                        | Xs/ Kathy Gunn      | 7/21/2009 |
| Printed Name of Debtor                            | Kathy Gunn          |           |
| Case No. (if known)                               | Signature of Debtor | Date      |

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B 203 (12/94)

## UNITED STATES BANKRUPTCY COURT Northern District of Illinois

| In r | e:                 | Kathy Gun                           | ın                                                                                                                   |         |                              |                              | Case No.        |               |          |
|------|--------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------|---------|------------------------------|------------------------------|-----------------|---------------|----------|
|      |                    |                                     | Debto                                                                                                                | r       |                              |                              | Chapter         | <u>13</u>     |          |
|      |                    |                                     | DISCLOSUR                                                                                                            | E C     | FOR DEE                      | SATION OF AT<br>BTOR         | TORNE           | Y             |          |
| i    | and tha<br>paid to | at compensation<br>me, for services | § 329(a) and Bankruptcy F<br>paid to me within one year<br>rendered or to be rendered<br>nkruptcy case is as follows | befor   | e the filing of the petition | on in bankruptcy, or agreed  |                 | or(s)         |          |
|      | Fo                 | or legal services,                  | I have agreed to accept                                                                                              |         |                              |                              |                 | \$            | 3,500.00 |
|      | Pri                | ior to the filing of                | f this statement I have rece                                                                                         | ived    |                              |                              |                 | \$            | 500.00   |
|      | Ва                 | alance Due                          |                                                                                                                      |         |                              |                              |                 | \$            | 3,000.00 |
| 2.   | The so             | ource of compens                    | sation paid to me was:                                                                                               |         |                              |                              |                 |               |          |
|      |                    | □ Debtor                            |                                                                                                                      |         | Other (specify)              |                              |                 |               |          |
| 3.   | The so             | ource of compen-                    | sation to be paid to me is:                                                                                          |         |                              |                              |                 |               |          |
|      |                    | □ Debtor                            |                                                                                                                      |         | Other (specify)              |                              |                 |               |          |
| 4.   |                    | I have not agree<br>of my law firm. | ed to share the above-discle                                                                                         | osed    | compensation with any        | other person unless they a   | are members ar  | nd associates |          |
|      | ı                  | •                                   | share the above-disclosed<br>copy of the agreement, toge                                                             |         |                              | ·                            |                 |               |          |
| 5.   | In retur<br>includ |                                     | disclosed fee, I have agree                                                                                          | ed to r | ender legal service for      | all aspects of the bankrupto | cy case,        |               |          |
|      | ,                  | Analysis of the o                   | debtor's financial situation,<br>kruptcy;                                                                            | and r   | endering advice to the o     | debtor in determining wheth  | ner to file     |               |          |
|      | b)                 | Preparation and                     | I filing of any petition, sched                                                                                      | dules,  | statement of affairs, ar     | nd plan which may be requi   | ired;           |               |          |
|      | c)                 | Representation                      | of the debtor at the meeting                                                                                         | g of c  | reditors and confirmatio     | on hearing, and any adjourr  | ned hearings th | ereof;        |          |
|      | d)                 | Representation                      | of the debtor in adversary                                                                                           | oroce   | edings and other conte       | sted bankruptcy matters;     |                 |               |          |
|      | ,                  | Other provision                     | s as needed]                                                                                                         |         |                              |                              |                 |               |          |
| 6.   | By agr             | reement with the                    | e debtor(s) the above disclo                                                                                         | sed fe  | ee does not include the      | following services:          |                 |               |          |
|      |                    | None                                |                                                                                                                      |         |                              |                              |                 |               |          |
|      |                    |                                     |                                                                                                                      |         | CERTIFICAT                   | TION                         |                 |               |          |
| re   |                    |                                     | oing is a complete statemen<br>otor(s) in this bankruptcy pr                                                         |         |                              | gement for payment to me     | for             |               |          |
| D    | ated:              | 7/21/2009                           |                                                                                                                      |         |                              |                              |                 |               |          |
|      |                    |                                     |                                                                                                                      |         | Philip A. Ige                |                              |                 |               |          |
|      |                    |                                     |                                                                                                                      |         | Philip A Igo                 | e, Bar No. 1300466           |                 |               |          |
|      |                    |                                     |                                                                                                                      |         | Law Office                   | of Philip A Igoe             |                 |               |          |

Attorney for Debtor(s)

Philip A Igoe 1300466 Law Office of Philip A Igoe 221 North LaSalle Street suite 655 Chicago IL 60601

312-372-4298 Attorney for the Petitioner(s)

## UNITED STATES BANKRUPTCY COURT

Northern District of Illinois

In Re:

Debtor: **Kathy Gunn**Social Security Number: \*\*\*-\*\*-1104

Case No:

Chapter 13

**Numbered Listing of Creditors** 

|    | Creditor name and mailing address                              | Category of Claim | Amount of Claim    |
|----|----------------------------------------------------------------|-------------------|--------------------|
| 1. | Amer Gen Fin<br>3632 West 95Th Str<br>Evergreen Park, IL 60805 | Unsecured Claims  | \$ 0.00            |
| 2. | Aspen/fb&t<br>P.O. Box 105374<br>Atlanta, GA 30348             | Unsecured Claims  | <b>\$ 1,183.00</b> |
| 3. | Aspire/cb&t<br>POB 105555<br>Atlanta, GA 30348                 | Unsecured Claims  | \$ 1,874.00        |
| 4. | Citi Auto<br>2208 Hwy 121<br>Suite 100<br>Bedford, TX 76021    | Unsecured Claims  | \$ 0.00            |
| 5. | Creditonebnk<br>PO Box 98872<br>Las Vegas, NV 89193            | Unsecured Claims  | \$ 250.00          |

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| In re: | Kathy Gunn                                                                           | Case No.         |               |
|--------|--------------------------------------------------------------------------------------|------------------|---------------|
| 6.     | Edsout\GLHEC<br>2401 International<br>P O Box 7859<br>Madison WI 53704               | Unsecured Claims | \$ 50,643.73  |
| 7.     | Fncc<br>500 East 60Th St N<br>Sioux Falls, SD 57104                                  | Unsecured Claims | \$ 570.00     |
| 8.     | Fst Premier<br>3820 N Louise Ave<br>Sioux Falls, SD 57104                            | Unsecured Claims | \$ 218.00     |
| 9.     | Fst Premier<br>3820 N Louise Ave<br>Sioux Falls, SD 57104                            | Unsecured Claims | \$ 180.00     |
| 10.    | Hsbc Bank<br>PO Box 5253<br>Carol Stream, IL 60197                                   | Unsecured Claims | \$ 0.00       |
| 11.    | Hsbc Bank<br>PO Box 5253<br>Carol Stream, IL 60197                                   | Unsecured Claims | \$ 2,546.00   |
| 12.    | Internal Revenue Services<br>230 South Dearborn<br>Stop 5016 CHI<br>Chicago IL 60604 | Priority Claims  | \$ 0.00       |
| 13.    | MERS<br>Fisher and Shapiro<br>4201 Lake Cook Rd<br>Northbrook IL 60062               | Secured Claims   | \$ 200,000.00 |
| 14.    | Nuvell Credt<br>PO Box 2150<br>Greeley, CO 80632                                     | Unsecured Claims | \$ 0.00       |

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| In re: | Kathy Gunn                                            |                  | Case No |        |
|--------|-------------------------------------------------------|------------------|---------|--------|
| 15.    | Plains Comm<br>PO Box 89937<br>Sioux Falls, SD 57109  | Unsecured Claims | \$      | 353.00 |
| 16.    | Swiss Colony<br>1112 7Th Ave<br>Monroe, WI 53566      | Unsecured Claims | \$      | 407.00 |
| 17.    | Univ Lenders<br>6701 W Grand Ave<br>Chicago, IL 60635 | Unsecured Claims | ;       | 0.00   |
| 18.    | Upbna<br>7650 Magna Drive<br>Belleville, IL 62223     | Unsecured Claims | \$      | 540.00 |
| 19.    | Us Dep Ed<br>501 Bleeker Street<br>Utica, NY 13502    | Unsecured Claims | •       | 0.00   |
| 20.    | Washmtl/prov<br>POB 660509<br>Dallas, TX 75266        | Unsecured Claims | \$      | 588.00 |

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| In re: | Kathy Gunn | Case No |
|--------|------------|---------|
|        |            |         |

(The penalty for making a false statement or concealing property is a fine up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. secs. 152 and 3571.)

## **DECLARATION**

I, **Kathy Gunn**, named as debtor in this case, declare under penalty of perjury that I have have read the foregoing Numbered Listing of Creditors, consisting of **3 sheets** (not including this declaration), and that it is true to the best of my information and belief.

Signature: s/ Kathy Gunn

Kathy Gunn

Dated: 7/21/2009